

REMARKS

In this Response, Applicants have amended claims 22-27 and 48 to correct typographical errors and clarify the claimed invention and have canceled claims 13-16, 28-31, and 43-47 without prejudice or disclaimer of their subject matter. Applicants have attached an appendix showing a marked-up version of the changes made to the claims by the current amendments. The attached appendix is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS." Claims 7-12, 22-27, 37-42, and 48 are currently pending.

In the Office Action, the Examiner rejected claims 7-16, 22-31, and 37-48 under 35 U.S.C. § 103(a) as being unpatentable over "Custom billing converges on industry: Increased competition for telcos means new service for customers," *InfoWorld*, pTW1 (Nov. 18, 1996) ("InfoWorld"), and further in view of US Patent No. 4,757,267 to *Riskin* ("Riskin"). Applicants traverse.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103, the Examiner must demonstrate that (1) *InfoWorld* discloses or suggests each and every element recited in the claims; (2) there is a reasonable probability of success of any modification of the teachings of *InfoWorld*, and (3) there exists some suggestion or motivation, either in the teachings of *InfoWorld* itself or in the knowledge generally available to one of ordinary skill in the art, to make such a modification in a manner resulting in the claimed invention. *See* M.P.E.P. § 2143 (7th ed. 1998). Furthermore, each of these requirements must be found in the prior art—not based on Applicants' own disclosure. *See id.* The Office Action fails to demonstrate at least two of these requirements—that *InfoWorld* discloses or suggests each and every limitation recited in

the claims and that there exists a reasonable probability of success of any modification of the teachings of *InfoWorld*.

Independent claim 7, for example, recites a method for processing requests for products. The method stores in a database a set of bundle codes, each bundle code indicating at least two products offered by at least two different providers. A request identifying a customer and including a bundle code is received and a portion of the received request is converted into at least one specifically-formatted provisioning request for each provider based on the received bundle code. The provisioning requests are provided to the providers to initiate a product supply process by each provider.

InfoWorld does not disclose or suggest each and every limitation recited in claim 7. Among other things, *InfoWorld* does not disclose or suggest “converting a portion of the received request into at least one specifically-formatted provisioning request for each provider based on the received bundle code; and providing the provisioning request to the providers to initiate a product supply process by each provider,” as recited in claim 7. Instead, *InfoWorld* discloses billing systems that combine all of a customer’s telecommunications charges onto one bill. (*InfoWorld* at p. 1 ¶¶ 1, 5, 7.) *InfoWorld*’s disclosed billing systems, may send a customer, for example, a single bill for long-distance, cellular, paging, data, international, and internet access charges. (*Id.* ¶ 7.) *InfoWorld* teaches that “[b]y combining all telecommunications services on one bill, phone companies are addressing a growing complaint by executives and consumers alike who must pay five or more bills a month.” (*Id.* at p. 2 ¶ 8.)

InfoWorld's disclosure of combined billing systems does not teach or suggest all the features recited in claim 7 because sending a combined bill to a customer is not the same as processing a customer's requests for products by "converting a portion of the received request into at least one specifically-formatted provisioning request for each provider based on the received bundle code; and providing the provisioning request to the providers to initiate a product supply process by each provider," as recited in claim 7. At least this feature of providing a specifically-formatted provisioning request to each provider is not taught by *InfoWorld*.

Instead, InfoWorld teaches providing to a customer a combined bill, not a specifically-formatted provisioning request. For example, *InfoWorld*'s combined bill requests payment from a customer for telecommunications services; it does not initiate a product supply process by each provider¹ as does the provisioning request recited in claim 7. Furthermore, this combined bill goes to a single customer, not at least two different providers, as recited in claim 7. Also, this combined bill has the same format for all customers; it is not specifically-formatted for each provider as recited in claim 7.

As the present application points out, combined billing systems such as those produced by Saville Systems (described in *InfoWorld* at page 2, paragraphs 5-8), "could not process customer requests for products and services of different LECs or other companies" (specification at p. 3), "could not accommodate requests for products such as telephones and other telecommunications equipment" (*id.* at p. 3-4), and were not "capable of processing requests for packages of products and services and to offer discounts for such products and services based on the selection of a package(s)," (*id.* at p. 4).

For at least the foregoing reasons, *InfoWorld* does not teach or suggest each and every element of claim 7.

In addition, the Examiner admitted that *InfoWorld* also fails to teach or suggest the recited database, which stores a set of bundle codes used to format provisioning requests, among other things. (Office Action (“OA”) ¶ 2.) The Examiner relied on *Riskin* to supply this missing element.

Even assuming, without admitting, that *Riskin* teaches a database, there is no reasonable probability of success of producing the claimed invention by combining the teachings of *InfoWorld* with *Riskin*, because the combined references do not teach, among other things, “providing the provisioning requests to the providers to initiate a product supply process by each provider.” As explained above, *InfoWorld* does not teach or suggest at least this feature. And as explained in Applicants’ last Response, filed March 15, 2002 (incorporated herein by reference in its entirety), at pages 6-9, *Riskin* does not teach or suggest this feature either.

In the Office Action, the Examiner asserted that adding *Riskin*’s alleged database to *InfoWorld* “would have been obvious to skilled artisan in order to implement the system and in order to store customers’ information,” and that it would have been “obvious to combine *InfoWorld* with *Riskin* in order to implement the teachings of *InfoWorld* in a computer system.” (OA ¶ 2.) But without the missing features discussed above, the Examiner’s asserted combination of *InfoWorld* with *Riskin*’s database would result in a computerized billing system that provides combined services bills to a customer, not a method for processing requests for products that provides specifically-

formatted provisioning requests to at least two providers to initiate a product supply process by each provider as recited in claim 7.

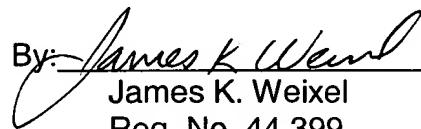
For at least the foregoing reasons, neither *InfoWorld* nor *Riskin*, whether taken alone or in combination, establish a *prima facie* case of obviousness under 35 U.S.C. § 103 for independent claims 7, 22, 37, and 48. Therefore, Applicants submit that these claims are allowable over the cited references. Applicants further submit that claims 8-12, 23-27, and 38-42, which depend either directly or indirectly from claims 7, 22, and 37, are also allowable for at least the foregoing reasons. Accordingly, Applicants respectfully request that the Examiner withdraw the 35 U.S.C. § 103 rejections of all these claims.

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 07-2339.

Respectfully submitted,

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By: 
James K. Weixel
Reg. No. 44,399

Verizon Corporate Services Group Inc.
600 Hidden Ridge, HQE03H01
Irving, TX 75038
(781) 466-2220

VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

22. (Four Times Amended) A [billing] controller for processing requests for products comprising:

a database configured to store a set of bundle codes, each bundle code indicating at least two different products offered by at least two different providers; a receiver configured to receive a request identifying a customer and including a bundle code;

a converter configured to convert a portion of the received request into at least one specifically-formatted provisioning request for each provider based on the received bundle code; and

a component configured to provide the provisioning requests to the providers to initiate a product supply process by each provider.

23. (Thrice Amended) The [billing] controller of claim 22, wherein the converter includes:

a decoder configured to decode the bundle code to identify the providers for the products.

24. (Amended) The [billing] controller of claim 22, wherein the component configured to provide the provisioning requests to the providers includes:

storage configured to store information from the received request as a customer record.

25. (Amended) The [billing] controller of claim 22, wherein the component configured to provide the provisioning requests to the providers includes:

a component configured to determine a means for providing each of the provisioning requests to the providers.

26. (Amended) The [billing] controller of claim 22, wherein the component configured to provide the provisioning requests to the providers includes:

a transmitter configured to electronically transmit the provisioning requests to the providers.

27. (Amended) The [billing] controller of claim 23, wherein the decoder includes: means for selecting product codes corresponding to the received bundle code from a stored table.

48. (Amended) A data processing system for processing requests for products comprising [The system of claim 47, further comprising]:

a request-processing gateway controller, connected to [the] a central controller, configured to receive customer requests for at least two different products offered by at least two different providers; and

a service-provider gateway controller, connected to the central controller, configured to receive the customer requests via the central controller and to distribute [the customer requests] specifically-formatted provisioning requests to each of the

providers [selective providers] to initiate a product supply process by each of the providers.